

being given that it is a regular feature of a developing economy.

Sir, this year a provision is made in the Budget by the Minister of Finance for payment of as much as Rs. 60,000 crore as debt servicing and it covers interests on the borrowings. I would like to know from the hon. Minister, whether this amount of foreign debt coupled with the non-utilisation of the money which is borrowed has accelerated further borrowing.

And Part (b) of my question is, that the Minister has tried to give explanations as to why this non-utilisation situation has occurred. I would like to know that corrective measures are being taken by the Government to see that this situation is eased out and the debt burden as well as the interest burden is reduced.

SHRI NIRMAL KANTI CHATTERJEE : Rs 60,000 crore interest is paid.

SHRI V. DHANANJAYA KUMAR : A provision is made in the Budget for Rs. 60,000 crore. It is interest only. That is what I mentioned. Is it on account of this non-utilisation?

SHRI P. CHIDAMBARAM : About the second part of the question, I have already answered it while replying to the second supplementary of the hon. Member who has put the question.

The measures that we are taking to ensure greater utilisation of external assistance are - on the first part, Rs. 60,000 crore is the interest on internal debt and external debt. If our internal and external debts are high, surely the interest rates will be high. We do borrow; we borrow both in the domestic market as well as externally. We borrow in the domestic market because the fiscal deficit is high. That is one of the reasons why I have committed myself to bringing down the fiscal deficit to below four per cent. We borrow in the external market because we need foreign exchange to meet project cost. We also need foreign exchange to meet the gap between domestic resources and the capital outlays that are required.

As I explained a little while ago, we do not pay interest on the undisbursed part of the external assistance. We pay interest only when we actually draw the money. It remains in the hands of the donor. We pay what we call 'commitment charges'. If we improve the rate of utilisation then we will be paying more interest because we would have drawn the money. But equally we would have got the benefit because the money would be invested in Plan projects and that will start yielding returns.

SHRI V. DHANANJAYA KUMAR : The problem is of non-utilisation.

SHRI P. CHIDAMBARAM : Sir, I had already answered it. I do not know whether the hon. Member was here when I answered the question. I answered the second supplementary; I gave the reasons for non-utilisation... (Interruptions). I had already given it.

SHRI PRITHVIRAJ D. CHAVAN : Sir, the unutilised amount of loans by the end of 31st March, 1996 is more than Rs. 47,000 crore. It was also indicated that the main reason for the loans not being utilised is the problem of lack of matching funds from the State Governments. Is it not a fact that many of these schemes and loans are earmarked for Central Public Sector Undertakings? He himself has replied to it.

Will the Hon. Minister give the percentage of outstanding loans under the direct responsibility of the Central Government Departments and Central Public Undertakings? Could he give a Department-wise and P.S.U.-wise breakup? He can supply this information later on.

SHRI P. CHIDAMBARAM : Sir, I think, I did give this figure, but I will give it again. Of this Rs. 47,155 crore of unutilised amount, as on 31.3.1996, the Central Government accounts for Rs. 22,011 crore. I cannot give breakup according to the Departments or P.S.U.s now. But the Central Government is responsible for Rs. 22,011 crore. That is why in my first answer as well as in the answer to supplementaries, as I said, is that not only the State Governments but the Central Government is also not utilising the loans properly. So, I said, that the Central Government Departments and Ministries must also provide money in the Budget for these projects and must increase the rate of utilisation.

[Translation]

MR. DEPUTY SPEAKER : Before I go to the next question, I would like to congratulate you all. As the House commenced yesterday, its sitting went on right upto 7.20 A.M. today. I congratulate all of you for this. All the Members got an opportunity to speak and an historic record has been created. It is very good indeed, and the credit for this goes to you all.

VAIDYA DAU DAYAL JOSHI : A record has been created for the House sitting that long. Therefore, congratulations to all the Members of the House and to the entire staff of the Secretariat. Olympic season is going on and this House has also made a record. The House sat for such a long time. Therefore, all the Members of the House should be congratulated by you profusely and I also congratulate them on my behalf.

[English]

Lok Adalat

*243. SHRI S.D.N.R. WADIYAR : Will the Minister of LAW AND JUSTICE be pleased to state

(a) the number of Lok Adalats organised in Karnataka during the last three years.

(b) the extent to which these Adalats are able to help the people.

(c) the number of cases/disputes settled in those Lok Adalats during the above period.

(d) whether the Government propose to organise these Adalats in more frequencies and in new areas; and

(e) if so, the details thereof?

THE MINISTER OF STATE OF THE DEPARTMENT OF LEGAL AFFAIRS, LEGISLATIVE DEPARTMENT AND DEPARTMENT OF JUSTICE (SHRI RAMAKANT D.KHALAP) : (a) to (c). As per information provided by the Karnataka Legal Board, 713 Lok Adalats were held during the years 1993, 1994 and 1995 settling 89,755 cases of the nature of bank suits, civil/criminal/labour cases, traffic offences, consumer cases, motor vehicle claims cases and land acquisition cases. Compensation of Rs. 34,25,43,747 was awarded in 14,710 motor vehicle claims cases and Rs. 21,10,67,144 in 7,346 land acquisition cases respectively.

(d) and (e). Lok Adalats are voluntary efforts for resolution of disputes through conciliatory and persuasive methods and are organised from time to time by the State Legal Aid and Advice Boards etc. for taking up pre-litigative as well as cases pending in the law courts.

SHRI S.D.N.R. WADIYAR : Sir, what is the number of cases that are pending which can be settled or resolved by the Lok Adalats and what is the frequency with which the Lok Adalats meet and does the Government propose to transfer a large number of pending cases to the Lok Adalats for speedy disposal?

SHRI RAMAKANT D. KHALAP : Sir, the Government intends to make these Lok Adalats a movement of the people. We would like to increase the frequency of the Lok Adalats in the entire country and see that a large number of cases which can be settled through the forum of Lok Adalats are settled as expeditiously as possible.

SHRI S.D.N.R. WADIYAR : My question was specific. What are the number of cases pending, especially in the State of Karnataka, which could be resolved or settled by Lok Adalats.

SHRI RAMAKANT D. KHALAP : Sir, the information about specific number of cases which can be resolved by the Lok Adalats is not available at the moment. But I can assure the hon. Member that all those cases except those criminal cases which are not of compoundable nature, all civil disputes, all motor accident claims and land acquisition matters and all such types of cases which are possible to be resolved by recourse to Lok Adalats will be referred to the Lok Adalats and resolved.

SHRI S.D.N.R. WADIYAR : Sir, my second supplementary is. Does the State provide free legal aid to those who are financially weak or to the weaker sections of the Society? I would also like to know the district-wise break-up of the cases that have been disposed of and does the Government propose to extend the family courts for settlement of family disputes by means of Lok Adalats?

SHRI RAMAKANT D. KHALAP : Sir, again the district-wise break-up is not available. I can give the year-wise break-up. In 1993 there were 258 Lok Adalat camps and the 54,289 cases in total were settled in that year. In 1994 there were 205 Lok Adalat camps in which 15,019 cases were settled. In 1995 250 Lok Adalat camps were organised in which 20,447 cases were settled. Karnataka provides legal aid to persons with income not exceeding Rs.9,000 per year.

[English]

SHRI RAMASHRAYA PRASAD SINGH : Mr. Deputy Speaker, Sir, there is much talk in the country about the Lok Adalats, that it is a very good move, and the cases are being disposed of expeditiously. I would like to know from the hon. Minister whether it is on the papers only? I am asking this only because just now you told that the district-wise figures are not available with you. It seems that this is a project confined to papers only and you have no figures with you. I would also like to know from the hon. Minister whether Lok Adalats in Bihar also...

MR. DEPUTY SPEAKER : This question relates to Karnataka.

SHRI RAMASHRAYA PRASAD SINGH : But this is the question of the entire country, it does not relate only to Karnataka, it encompasses the entire country. Lok Adalats are being organised in the whole country and it is why I am not asking this question wrongly. I would like to know whether Lok Adalats are being conducted in case of Bihar also or not?

[English]

MR. DEPUTY SPEAKER : The question relates to Karnataka only. I am sorry, I am not allowing it.

[Translation]

SHRI SHIVRAJ SINGH : Many small cases are pending in the courts in the States. Indeed, Lok Adalats is a unique experiment in view of the disposal of these cases. But in practice, it has been seen in Karnataka and also in Madhya Pradesh that these Lok Adalats are organised in the district hardly once a year as a formality. Thousands of cases come up therein and they are not disposed of properly. Many often, the cases are left after completing the formality which leads to the disputes afterwards. I would like to know from the hon. Minister as to what steps are being taken by him to make the proceedings of these Adalats more effective so that the cases are disposed of properly and, therefore, more cases could be taken up. I would also like to know whether Lok Adalats would be organised at block level also in addition to the district level and whether such cases would be dealt with more effectively. I would like to know the efforts being made by Government in this regard.

SHRI RAMAKANT D. KHALAP : In this regard our effort will be to organise the Lok Adalats in the entire country - in each State, in each District and even in each

"taluka". We have embarked upon some steps in this connection and perhaps when I come before you next time, I will furnish full information in this connection. I am trying to spread a movement in the whole country.

[English]

MR. DEPUTY SPEAKER : I have allowed him.

(Interruptions)

SHRI P. KODANDARAMAIAH (Chitradurga) : Sir, there is a feeling among the legal circles as well as among the general public that the system of Lok Adalats is an off-shoot of the judicial delays happening in the courts. I would like to know from the Minister whether the Lok Adalats are there as a result of the delays in the judicial processes and whether he is going to have a dialogue with the judiciary to ensure that the delays are avoided. Secondly...

MR. DEPUTY SPEAKER : You are supposed to ask only one supplementary

SHRI P. KODANDARAMAIAH : It is a small supplementary and that is about evolving certain procedure in the Government to ensure that the disputes relating to lands and houses are not treated as cognizable offences so that these are decided at the local level either by the village Panchayats or at the police station level

SHRI RAMAKANT D. KHALAP : We have had dialogue with the judiciary on a number of occasions. In fact, there have been conferences of the Chief Justices, the Law Ministers and the Chief Ministers on a number of occasions. This system has been developed as a result of the nation-wide debate that had taken place because of the huge pendency of cases in a number of courts. This system has now been evolved. This is a very successful movement that we have had so far. Our experience is still a number of States have to undertake the constitution of various authorities under the Act and also to take it to different districts at the taluka level. Therefore, I do not think there is any need to have any more dialogue with the judges. Otherwise we will only be ending up in having conferences and conferences. The time has come to implement the recommendations that have been made from time to time

[Translation]

SHRI RATILAL KALIDAS VERMA : Mr. Deputy Speaker, Sir, I would like to know from hon. Minister, and you are also aware of this fact that Gujarat, in my view, ranks first in regard to the Lok Adalats. (Interruptions)

[English]

MR. DEPUTY SPEAKER : You may ask questions regarding Karnataka only (Interruptions)

[Translation]

SHRI RATILAL KALIDAS VERMA : I am asking the question only. What I want to say is that the people of

Gujarat have been very peace-loving and justice-loving. In this connection I would like to know whether Government propose to give some incentive to the State where Lok Adalats have proved more successful as also whether Government are contemplating to extend these Adalats to Tehsil level and also to provide financial assistance in this regard?

SHRI RAMAKANT D. KHALAP : The Government have not considered this so far but it is not impossible to consider your suggestion in future

SHRI JAI PRAKASH AGARWAL : Mr. Deputy Speaker, Sir, I would like to submit that so far the practice is that no time is fixed as to when the Lok Adalat would be conducted. Consequent to this the poor or the small people have to pay large amount of money to the lawyers and much of their money goes waste in this regard. Would you kindly agree to this suggestion that a definite time may be fixed for Lok Adalats. You may fix some month or some week or some day in a year for this purpose so that the money which people have otherwise to spend could be saved by them

SHRI RAMAKANT D. KHALAP : Replying to the discussion on Judges' bill in this House, I had said in my reply that we would promote the alternative dispute redressal system. The new Bill which is coming now and the Adjudication and Conciliation Bill passed by Rajya Sabha recently as well as Lok Adalats will arm us to deal with all the cases pending in the Courts which run into two and a half crore. (Interruption)

SHRI JAI PRAKASH AGARWAL : I would like to know whether you will fix a definite time as to when Lok Adalat will be set up or will it be set up as and when you advertise in this respect?

SHRI RAMAKANT D. KHALAP : I will consider this.

SHRI SHATRUGHAN PRASAD SINGH : Mr. Deputy Speaker, Sir, I would like to know from the hon. Minister that when this scheme has been implemented for the welfare of the poor, whether there is any systematic programme under which the people are apprised of the benefits thereof as well as the type of cases undertaken by these Adalats. I would also like to know the number of years or months in which Government propose to dispose of the cases pending in Lok Adalats?

SHRI RAMAKANT D. KHALAP : I am considering this very carefully

SHRI SHATRUGHAN PRASAD SINGH : Would you kindly assure the House in how many days the pending cases of the poor people will be disposed of? (Interruptions)

SHRI RAMAKANT D. KHALAP : This is only for the poor people. Our courts are also for the poor people. (Interruptions) we all are for the people. I will seriously consider the suggestion given by you.

SHRI THAWAR CHAND GEHLOT : Mr. Deputy Speaker, Sir, now the Lok Adalats are being organised

and in some district the cases are being disposed, of under pilot project scheme also and the target per year fixed for a Lok Adalat is 300 cases. A separate sum has been earmarked to be paid as an allowance to the witnesses. Because more cases are being disposed of by the Lok Adalats, the number of witnesses appearing before them is also more. But the Adalats do not have adequate arrangements for the payment of allowance to the witnesses. In this context I would like to know from the hon. Minister whether the Central Government would prepare and implement a scheme under which the witnesses appearing before the Lok Adalats and also in connection with the cases under pilot project scheme are paid the allowance in time. Otherwise what is happening is that many people do not want to come to give evidence because they do not possess the railway or the bus fare required for the journey to and fro. Will the Government take steps to bring about an improvement in this situation?

SHRI RAMAKANT D. KHALAP : Sir, I am taking into consideration the entire issue relating to Lok Adalats. As I said earlier, not only Lok Adalats, but also any other alternative system that may be available, will be taken into consideration. I am thinking of organising such a system that in the next couple of years, the entire pendency of cases in all the courts in the country may be brought down to a reasonable limit. This will include taking care of bhatta to be paid to witnesses and all that. We will also take into consideration other things to make the system more effective and to spread the system from the highest level to the lowermost level and so on.

[Translation]

SHRI THAWAR CHAND GEHLOT : Mr. Deputy Speaker, Sir, I had asked him about the allowance and he has furnished no information in this regard thereto.

MR. DEPUTY SPEAKER : He has given the information.

SHRI DATTA MEGHE : Mr. Deputy Speaker, Sir, it has been reported that more than two crore cases are pending in Lok Adalats and the hon. Minister has given an assurance about three to four times in the course of his reply that the Government propose to extend this system upto "taluka" level in this connection.

I would like to submit that in the civil courts, small cases continue for ten to twelve years and whosoever lawyer goes there, he gets the date postponed after making some payment. On the other hand the Lok Adalats easily come to the help of poor people and if you take them to the "taluka" level in right earnestness, the poor people will be benefited. I would like to know in how many years, how many months and in how many days you are going to complete this time-bound programme. This is the concern of a large number of people. The hon. Minister should spell out the period in which this programme is going to be implemented.

[English]

SHRI RAMAKANT D. KHALAP : Sir, at this stage I cannot give any specific reply to this question.

[Translation]

SHRI DATTA MEGHE : I would like to submit that you should do it within an year or six months so that the people of the country know that we have extended the Lok Adalats upto the "taluka" level. The Government should come out with a time-bound programme in this regard, otherwise it will be of no use.

[English]

SHRI RAMAKANT D. KHALAP : Sir, for this purpose, I must tell the House that this system is to be implemented at the State level by the State Governments. Therefore, the State Governments have to frame rules and create various authorities under the Act. For the information of the hon. Member, I must also say that many States have not performed their duty.

[Translation]

SHRI DATTA MEGHE : The Lok Adalats have started functioning in my State. Very good work is being done in Maharashtra. The hon. Minister has said that he proposes to extend these courts to "taluka" level. I would like to know whether the hon. Minister proposes to forward this type of programme to the Maharashtra Government or to any other State Government?

[English]

SHRI RAMAKANT D. KHALAP : Mr. Deputy Speaker, Sir, we have the Legal Services Authorities Act, and Chapter III of this Act has been extended to 10 States. They are Andhra Pradesh, Haryana, Himachal Pradesh, Punjab, Orissa, Rajasthan, Sikkim, National Capital Territory of Delhi, West Bengal and Uttar Pradesh. The Legal Services Authority has been constituted in three States, namely, Andhra Pradesh, Haryana and Himachal Pradesh. The State of Manipur has finalised the rules, and the notification extending Chapter III will be issued very shortly.

As regards other States, work has not been done. I would request the hon. Members, from whichever States they come, to kindly interact with their respective States to see that they frame the rules, to see that the Act is made applicable in its total respect everywhere and we create the bodies, to be constituted under this Act, so that right from the Taluka level up to the High Court level these Lok Adalats could start functioning.

[Translation]

Import and Supply of Gold to Jewellery Exporters

*244 SHRI RAM KRIPAL YADAV

SHRI MRUTYUNJAYA NAYAK

Will the Minister of COMMERCE be pleased to state:

(a) the total quantity of gold imported by MMTC under the special import licence during each of the last three years;